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8 UNITED STATES DISTRICT COURT
9 CENTRAL DISTRICT OF CALIFORNIA

10 SERGIO ANTONIO VERDUGO,) CASE NO. CV 12-4925-ODW (PJW)
11)
12 Petitioner,)
13 v.) ORDER ACCEPTING REPORT AND
14) RECOMMENDATION OF UNITED STATES
15 DOMINGO URIBE, JR.,) MAGISTRATE JUDGE AND DENYING
16) CERTIFICATE OF APPEALABILITY
17 Respondent.)
18 _____)

19 Pursuant to 28 U.S.C. Section 636, the Court has reviewed the
20 Petition, records on file, and the Report and Recommendation of the
21 United States Magistrate Judge. Further, the Court has engaged in a
22 *de novo* review of those portions of the Report to which Petitioner has
23 objected. The Court accepts the findings and recommendation of the
24 Magistrate Judge.

25 Further, for the reasons stated in the Report and
26 Recommendation, the Court finds that Petitioner has not made a
27 substantial showing of the denial of a constitutional right or that
28 the court erred in its procedural ruling and, therefore, a certificate
of appealability is denied. See 28 U.S.C. § 2253(c)(2); Fed. R. App.

1 P. 22(b); *Miller-El v. Cockrell*, 537 U.S. 322, 336 (2003); *Slack v.*
2 *McDaniel*, 529 U.S. 473, 484 (2000).

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4 DATED: December 12, 2012 _____.

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8 OTIS D. WRIGHT, II
9 UNITED STATES DISTRICT JUDGE
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